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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,774

03/08/2005

Takashi Uchiyama

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65565 7590 04/29/2008
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EXAMINER

HARPER, TRAMAR YONG

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

04/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/526,774

Examiner

TRAMAR HARPER

Applicant(s)

UCHIYAMA ET AL.

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/08/05.
2. ☒ The allowed claim(s) is/are 1-3 and 5-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>3/08/05, 3/31/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Ronald Laneau/

DETAILED ACTION

Supplemental Action

This is a supplemental action acknowledging the receipt of IDS filed 3/31/05.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dion Ferguson on 03/27/08.

In the Claims:

Claim 1 (replace previous claim 1 with the following):

A random number selector using a selection ball, comprising:

a first selector, provided with a passage and a plurality first pockets each associated with a symbol and operable to receive the selection ball;

a second selector, provided with a plurality of second pockets each associated with a jackpot and operable to receive the selection ball;

a guide member, which guides the selection ball which has been passed through the passage in the first selector to the second selector;

and wherein the guide member is vertically movable in a space between a first position operable to guide the selection ball which has been passed through the passage to the second selector and a second

position operable to guide the selection ball which has been passed through the passage to a recovery port through which the selection ball is recovered to an initial position.

Claim 4 is cancelled.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Patentability seen in, although not limited to Independent Claim 1: The apparatus comprising a random number selector using a selection ball. The apparatus further comprising a first selector comprising a passage and a plurality of first pockets each associated with a respective symbol and operative to receive the selection ball; a second selector comprising a plurality of second pockets each associated with a respective jackpot and operative to receive the selection ball; a guide member, which guides the selection ball which has passed through the passage in the first selector to the second selector; and the guide member being vertically movable in a space between a first position guiding the selection ball which has passed through the passage of the first selector to the second selector and a second position operable to guide the selection ball which has passed through the passage of first selector to a recovery port through which the selection ball is recovered to an initial position. The closest prior art of record does not teach or fairly suggest the claimed apparatus in combination. Malavazos et al (US 5,553,851) teaches a random selector wheel including a selection ball comprising a first selector including a plurality of pocket each

associated with a symbol or outcome wherein some symbols are associated with a pass outcome comprising a passage of the selection ball (guide member) to a second selector comprising a plurality of outcome or symbol pockets. However, Malavazos fails to teach a plurality of pockets associated with a jackpot and more specifically a guide member being vertically movable in a space between a first position guiding the selection ball which has passed through the passage to the second selector and a second position operable to guide the selection ball which has passed through the passage to a recovery port through which the selection ball is recovered to an initial position.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reiner et al (US 3,853,324) teaches a bingo wheel comprising a first ball to select a bingo number and a second ball to select a bingo letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

/Ronald Laneau/
Supervisory Patent Examiner, Art Unit 3714
04/24/08